

**REMARKS**

The application has been reviewed in light of the Office Action mailed on April 6, 2005. Claim 1 has been cancelled without prejudice. Claims 2-8 have been amended without adding new matter. Applicants reserve the right to pursue the cancelled and pre-amended claims in this and other applications. New claims 33-44 have been added without adding new matter. Claims 2-8 and 33-44 are now pending in this application.

Claims 1-5 stand rejected under 35 USC 102(b) as being anticipated by Kroos et al., U.S. Patent No. 5,117,283 ("Kroos"). Reconsideration is respectfully requested for the following reasons.

Claim 1 has been cancelled without prejudice. Claim 2 has been amended to further distinguish the claimed invention over the cited reference. As amended, claim 2 now recites a "photograph vending machine, comprising: ... a subject area to be photographed located at [a] middle section; a background surface located at [a] rear side; [and] a photographic apparatus and an illumination apparatus located at [a] front side." Amended claim 2 further recites a "reflection apparatus positioned laterally from said middle section such that it reflects light emitted from said illumination apparatus, that bypasses said subject area, onto said background surface."

This is an important feature of the invention. For example, as disclosed in paragraph 11 of the specification, and with reference to Figure 1, "an embodiment of the present invention is configured in such a way that light from the illumination apparatus is reflected by the reflection apparatus, provided laterally of the photographic space, to thereby detour the subject to be able to reach a background

curtain behind the subject.” The claimed invention is not limited to the disclosed embodiments.

Kroos fails to teach or suggest this limitation. Kroos teaches a backdrop lighting unit 26 for shining light onto a backdrop panel 28. Contrary to the claimed invention, and as seen in Figure 1 of Kroos, the backdrop lighting unit is not located at a “front side” of the Kroos apparatus. Moreover, Kroos fails to teach or suggest a “reflection apparatus positioned laterally from said middle section such that it reflects light emitted from said illumination apparatus, that bypasses said subject area, onto said background surface.” In Kroos, the backdrop lighting apparatus 26 shines light directly onto backdrop panel 28. See Figure 1 and associated text of Kroos.

For at least these reasons, amended claim 2 is allowable over Kroos. Claims 3 and 4 depend from claim 2 and should be allowed together with claim 2.

Claim 5 has also been amended to further distinguish over Kroos. Claim 5 recites a photographic system comprising a “light emitting apparatus located at [a] front side; ... a subject area to be photographed located at said middle section; a background surface located at said rear side; and a reflection apparatus, laterally spaced from said middle section, having a first reflective portion and a second reflective portion.” Amended claim 5 further recites that the “first reflective portion is positioned to reflect light from said light emitting apparatus onto said subject area, and said second reflective portion is positioned to reflect light from said light emitting apparatus onto said background surface.” Amended claim 5 also recites that the “first reflective portion has a first light reflection coefficient and said second reflective portion has a second light reflection coefficient higher than said first light reflection coefficient.” Exemplary embodiments of this feature of the invention are

described and illustrated, for example, in paragraphs 71-73 and Figure 1 of the specification.

Kroos fails to teach or suggest these limitations. Kroos does not teach or suggest that the “first reflective portion is positioned to reflect light from said light emitting apparatus onto said subject area, and said second reflective portion is positioned to reflect light from said light emitting apparatus onto said background surface.” Nor does Koos teach or suggest that the “first reflective portion has a first light reflection coefficient and said second reflective portion has a second light reflection coefficient higher than said first light reflection coefficient.” For at least these reasons, amended claim 5 is allowable over Kroos.

Claims 6-8 stand rejected under 35 USC 102(b) as being anticipated by Huebner, U.S. Patent No. 6,343,184 (“Huebner”). Reconsideration is respectfully requested based on the following. Reconsideration is respectfully requested for the following reasons.

Claim 6 as been amended to further distinguish the claimed invention over Huebner. Claim 6 recites a “photograph vending machine, comprising: ... a right side enclosure and a left side enclosure; ... and an illumination apparatus located at [a] front side.” Amended claim 6 further recites that the “right side enclosure comprises a reflective curtain and said left side enclosure comprises a reflective curtain.” Exemplary embodiments of this feature of the invention are described and illustrated in paragraphs 71-73 and Figure 1 of the specification. The claimed invention is not limited to the disclosed embodiments.

Huebner fails to teach or suggest a “right side enclosure comprises a reflective curtain and said left side enclosure comprises a reflective curtain.” Rather, Huebner teaches a photo studio having two rings 52, 54 connected by hinges 56, 58,

but fails to teach or suggest anything relevant to the above quoted limitation of amended claim 6. For at least this reason, amended claim 6 is allowable. Claims 7 and 8 depend from claim 6, and are allowable for at least the same reason for allowance of claim 6.

New claims 33-44 have been added. Claims 33-38 depend from claims 2, 5 and 6, and should be allowed based at least on the reasons for allowance of their base claims, and because the unique combinations recited in these dependent claims are neither taught nor suggested by the cited references.

New independent method claim 39 recites "providing a reflection apparatus, laterally spaced from [a] middle section, with a first reflective surface having a first light reflection coefficient and a second reflective surface having a second light reflection coefficient higher than said first light reflection coefficient." Claim 38 further recites "operating [an] illumination apparatus such that a first portion of light emitted from said illumination apparatus reflects from said first reflective surface onto [a] middle section to be photographed, and a second portion of light emitted from said illumination apparatus reflects from said second reflective surface onto [a] background surface."

As discussed above in connection with claims 2, 5 and 6, the cited references fail to teach or suggest this limitation, and new claim 39 is allowable for at least this reason. Claims 40-44 depend from claim 39 and should be allowed for at least the reasons for allowance of claim 39, and for other reasons.

In view of the above amendments and remarks, Applicants believe that the pending application is in condition for allowance.

Dated: July 5, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Peter A. Veytsman

Registration No.: 45,920

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicant